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DIVISION

DEP 3 REF
Room 307

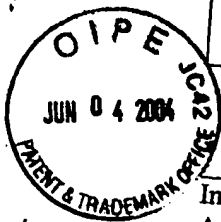
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 6/2/04

Signature:

(Glen Bundell)

2004 JUN 8 Docketing: 42REX-P01-006
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Antoine A. Noujaim

Application No.: 09/779439

Filed: February 8, 2001

Confirmation No.: 6671

Art Unit: 1642

For: METHOD FOR DIAGNOSING EFFICACY OF
XENOTYPIC ANTIBODY THERAPY

Examiner: L. R. Helms

**ASSERTION OF SMALL ENTITY STATUS UNDER 37 CFR § 1.27(C)
AND REQUEST FOR REFUND UNDER 37 CFR § 1.28**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby notify the Patent Office that Applicant is a small entity as defined within the meaning of 37 CFR § 1.27(a), and existed as a small entity at the time of payment of the fee as herein below described. Accordingly, Applicant is entitled to payment of reduced fees under 37 CFR § 1.27(b).

On April 14, 2004 an Three Month Request for Extension of Time fee was paid for the above-referenced patent application in which Applicant was mistakenly identified as a large entity. As a result the United States Patent and Trademark Office was incorrectly authorized to withdraw the large entity fee of \$950.00 instead of the small entity fee of \$475.00. Enclosed herewith is a copy of the Fee Transmittal as submitted on April 14, 2004, on which the incorrectly authorized fee is highlighted for your convenience.

2004 JUN -8 PM 4:43

Application No.: 09/779439

DIVISION
2004 JUN - 3 PM 4:43
Docket No.: AREX-P01-006

The undersigned authorizes the credit of \$475.00 to our Deposit Account No. 18-1945.

A duplicate copy of this letter is enclosed for that purpose.

Dated: June 2, 2004

Respectfully submitted,

By Megan Jamroz
Megan Jamroz, Ph.D.
Registration No.: 54,196
ROPES & GRAY LLP
One International Place
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(617) 951-7000
(617) 951-7050 (Fax)
Attorneys/Agents For Applicant



Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 7/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number

18-1945

Deposit Account Name

Ropes & Gray LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code Fee Code

Fee (\$)

Fee (\$)

Fee Description

Fee Paid

1001 770 2001 385 Utility filing fee

1002 340 2002 170 Design filing fee

1003 530 2003 265 Plant filing fee

1004 770 2004 385 Reissue filing fee

1005 160 2005 80 Provisional filing fee

SUBTOTAL (1) (\$)

0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims Extra Claims Fee from below Fee Paid

Independent Claims Fee Paid

Multiple Dependent Fee Paid

Large Entity Small Entity

Fee Code Fee Code

Fee (\$)

Fee (\$)

Fee Description

1202 18 2202 9 Claims in excess of 20

1201 86 2201 43 Independent claims in excess of 3

1203 290 2203 145 Multiple dependent claim, if not paid

1204 86 2204 43 Reissue independent claims over original patent

1205 18 2205 9 Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

0.00

**or number previously paid, if greater; For Reissues, see above

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

950.00

SUBMITTED BY

Name (Print/Type) Margaret E. Jamroz

Signature Margaret E. Jamroz

Registration No. (Attorney/Agent)

54,196

(Complete if applicable)

Telephone (617) 951-7785

Date April 14, 2004

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Dated: 4-14-04

Signature: Andrea Berio (Andrea Berio)

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Dated: 4-14-04

Signature: Andrea Berlo

(Andrea Berlo)

Docket No.: AREX-P01-006
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Antoine A. Noujaim

Application No.: 09/779439

Confirmation No.: 6671

Filed: February 8, 2001

Art Unit: 1642

For: METHOD FOR DIAGNOSING EFFICACY OF
XENOTYPIC ANTIBODY THERAPY

Examiner: L. R. Helms

REQUEST FOR EXTENSION OF TIME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions for a three month extension of time to and including April 16, 2004 to respond to the Office Action mailed October 16, 2003.

This petition is being filed in order to ensure copendency with application being filed concurrently herewith.

In the event that a further petition for an extension of time is required to be submitted at this time, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time for as many months as are required to ensure that the above-identified application does not become abandoned.

Please charge our Deposit Account No. 18-1945 in the amount of \$950.00 covering the fee set forth in 37 CFR 1.17(a)(3). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper

04/19/2004 CCHAUI 00000113-181945 09779439

01 FC:1253 950.00 DA

9419144.1

Adjustment date: 06/28/2004 EEKUBAY1
04/19/2004 CCHAUI 00000113-181945 09779439
01 FC:1253 950.00 CR

06/28/2004 EEKUBAY1 00000016 181945 09779439

01 FC:2253 475.00 DA